

Defendant and his comrade reached the French Hill Junction, where the two turned right and returned to Ramallah. The Defendant and Fares Ghanem saw that it was possible to transport the suicide terrorist to Jerusalem on the route that they had taken without being stopped at police or Israel Defense Forces checkpoints.

6. Upon their arrival in Ramallah, the Defendant and Fares Ghanem traveled to the City Inn Hotel, located near Ayosh Junction. Near the City Inn Hotel, the Defendant and Fares Ghanem met with the above named Ahmed Barghouti, who introduced the Defendant and Fares Ghanem to Sa'id Ramadan, a resident of the village of Tel in the Nablus region, who was armed with an M-16 assault rifle and two magazines for the M-16 assault rifle, joined together with a magazine coupler.
7. Ahmed Barghouti informed the Defendant and Fares Ghanem that the above named Sa'id Ramadan was the suicide terrorist whom they were to transport to Jerusalem, so that he could carry out a suicide terrorist attack there by opening fire on Israeli civilians with the aim of causing the deaths of as many civilians as possible.
8. The Defendant and Fares Ghanem concealed the said M-16 assault rifle and magazines in the above mentioned Isuzu.
9. Fares Ghanem drove the Isuzu, Sa'id Ramadan sat in the seat next to the driver's seat, while the Defendant sat in the back seat.
10. The Defendant and Fares Ghanem drove Sa'id Ramadan to Jerusalem via the route that they had checked out earlier that day, as described above.
11. The Defendant and Fares Ghanem drove to Sheikh Jarrah Street. There they took out the M-16 assault rifle and the magazines that had been concealed in the vehicle, and gave them to Sa'id Ramadan. The Defendant shifted into the seat next to the driver's seat, while Sa'id Ramadan moved to the back seat, holding in his hands the M16 assault rifle and the magazines.
12. The Defendant and Fares Ghanem drove Sa'id Ramadan to Haneviim Street.
13. During the trip, Sa'id Ramadan complained to the Defendant and Fares Ghanem that they had bought him new shoes for the terrorist attack, but they were too small and tight on him. The Defendant took off his Reebok shoes and gave them to Sa'id Ramadan, saying, "Go up to heaven with Reebok shoes."

[Stamp] P 6: 69 [continued]

14. Upon reaching the intersection of Straus and Haneviim Streets, the Defendant and Fares Ghanem stopped the Isuzu.
15. The Defendant and Fares Ghanem said to Sa'id Ramadan to go down to Jaffa Road on foot and to begin shooting where he saw a large number of people.
16. After Sa'id Ramadan got out of the vehicle with the M-16 assault rifle and the ammunition, the Defendant and Fares Ghanem drove from there in the Isuzu, went out onto Road no. 1 through the Musrara neighborhood, and from there drove along the main road to Ramallah.
17. Sa'id Ramadan, some minutes after getting out of the Defendant and Fares Ghanem's vehicle, reached Jaffa Road.

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[Stamp] P 6: 69 [continued]

18. At around 4:20 p.m., as he stood opposite No. 47 Jaffa Road or thereabouts, Sa'id Ramadan loaded the M-16 assault rifle that he held, shouted "*Allahu Akbar*," and opened fire on automatic in all directions at the people in Jaffa Road, at the bus stop located there, into the Egged number 27 bus that was at the said stop at that time, and at the people who were inside the nearby shops, with the aim of causing the deaths of as many people as possible. Sa'id Ramadan, while continuing to fire, fled from the scene toward the parking lot located in Harav Kook Street. There Sa'id Ramadan changed magazines and continued firing at civilians with the aim of causing their deaths. Sa'id Ramadan fired over 38 bullets from the M-16 assault rifle that he held. Sa'id Ramadan continued firing at civilians until he was killed by the civilians and policemen who arrived on the scene.
19. By his actions as described above, the above named Defendant intentionally caused the death of the late **Ora (Svetlana) Sandler**, who died as a result of being struck by the rounds fired by Sa'id Ramadan.

Ninth Count: (Detailed Incident File 502/02 Zion)

Nature of the Offense: Intentionally causing death, an offense pursuant to Section 51(a) of the Security Provisions Order (Judea and Samaria) (No. 378), 5730-1970, and Section 14(a) of the Rules of Liability for an Offense Order (Judea and Samaria (No. 225), 5728-1968.

Details of the Offense: The above named Defendant, in the Area, on January 22, 2002, or thereabouts, intentionally caused the death of another person, specifically:

The above named Defendant, on the said date, in the place stated in the previous count of the indictment, by his actions as described in the previous count of the indictment, intentionally caused the death of the late **Sarah Hamburger**, who died as a result of being struck by the bullets fired by Sa'id Ramadan, who had been brought to the said location by the Defendant and Fares Sadeq Mohamed Ghanem (known as "Al-Hitawi") for the purpose of carrying out the said terrorist attack.

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Tenth Count: (Detailed Incident File 502/02 Zion)

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Nature of the Offense: Attempting to intentionally cause death, an offense pursuant to Section 51(a) of the Security Provisions Order (Judea and Samaria) (No. 378), 5730-1970, and Sections 14(a) and 19 of the Rules of Liability for an Offense Order (Judea and Samaria (No. 225), 5728-1968.

Details of the Offense: The above named Defendant, both within and outside the Area, on January 22, 2002, or thereabouts, attempted to intentionally cause the death of another person, specifically:

The above named Defendant, on the said date, at the place stated in the eighth count of the indictment, by his actions as described in the eighth count of the indictment, attempted to intentionally cause the deaths of as many civilians as possible, who were at that time in Jaffa Road or its vicinity. As a result of the shooting carried out there by Sa'id Ramadan, who had been brought to the above mentioned location by the Defendant and Fares Sadeq Mohamed Ghanem (known as "Al-Hitawi") for the purpose of carrying out the said terrorist attack, **over 45 civilians were wounded.**

Eleventh Count:

Nature of the Offense: Attempting to intentionally cause death, an offense pursuant to Section 51(a) of the Security Provisions Order (Judea and Samaria) (No. 378), 5730-1970, and Section 19 of the Rules of Liability for an Offense Order (Judea and Samaria (No. 225), 5728-1968.

Details of the Offense: The above named Defendant, in the Area, at the end of January through the beginning of February 2002, or thereabouts, attempted to intentionally cause the death of another person, specifically:

1. At the said time, Fares Sadeq Mohamed Ghanem (known as "Al-Hitawi") called the Defendant. Fares Ghanem informed the Defendant that Ahmed Barghouti (known as "Al-Fransi"), bodyguard of Marwan Barghouti – head of the Fatah Organization's Tanzim, which is an unlawful association, wanted to get another terrorist into Jerusalem, to carry out a suicide terrorist attack in Jerusalem, similar to the terrorist attack described in the eighth count of the indictment, with the aim of causing the deaths of as many civilians as possible. The Defendant agreed to participate in transporting the said suicide terrorist to Jerusalem.

[Stamp] P 6: 70 [continued]

2. The Defendant and Fares Ghanem agreed that they would transport the suicide terrorist to Jerusalem in a Subaru, which they would ask Ahmed Barghouti for.

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[Stamp] P 6: 70 [continued]

3. On that same day, the Defendant and Fares Ghanem traveled to Ramallah and there met with Ahmed Barghouti. The Defendant and Fares Ghanem asked Ahmed for a vehicle to transport the suicide terrorist to Jerusalem. Ahmed Barghouti gave the Defendant a gray Subaru, belonging to Ahmed Barghouti's family. The Defendant returned to his home in Bir Nabala with the Subaru, while Fares Ghanem drove his Isuzu van to his home in Kafr Akab.
4. The next day Fares [sic] Barghouti called the Defendant and Fares Ghanem and instructed them to come to the gas station in Ramallah Tachta, to collect the suicide terrorist from there and to transport him to Jerusalem so that he could carry out the suicide terrorist attack there, with the aim of causing the deaths of as many civilians as possible. The Defendant consented.
5. The Defendant drove the Subaru to the Kalandia checkpoint, where he parked the vehicle and got into Fares Ghanem's Isuzu which arrived there. From there the two continued to the said meeting place.
6. In Ramallah at the above mentioned gas station, the Defendant and Fares Ghanem met with Ahmed Barghouti, who introduced them to the suicide terrorist who was with them. Ahmed Barghouti gave the suicide terrorist an M-16 assault rifle and three magazines full of bullets for the M-16 assault rifle.
7. The Defendant and Fares Ghanem concealed the M-16 assault rifle and the magazines within the Isuzu.
8. The Defendant and Fares Ghanem traveled together with the suicide terrorist to Jerusalem so that the latter could carry out a shooting terrorist attack there and cause the deaths of as many civilians as possible.
9. The Defendant, Fares Ghanem and the suicide terrorist arrived at the Kalandia checkpoint and bypassed it. Then the Defendant moved to the Subaru, which he had left there previously, and traveled to A-Ram Junction. The Defendant passed the A-Ram checkpoint in the Subaru and waited there for Fares Ghanem and the suicide terrorist, who had bypassed the A-Ram checkpoint on foot. Subsequently, Fares Ghanem went back, got into the Isuzu, in which the weapons were concealed, and passed through A-Ram checkpoint, traveling alone in the Isuzu with the weapons.
10. The Defendant drove the suicide terrorist to the mosque in Shuafat. Fares Ghanem also arrived there in the Isuzu with the weapon and ammunition.

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11. There, the suicide terrorist asked to enter the mosque and pray before carrying out the suicide terrorist attack. The Defendant and Fares Ghanem agreed to the suicide terrorist's request.
12. While the suicide terrorist was praying in the said mosque, the Defendant and Fares Ghanem drove in the Subaru to Givat Shaul in Jerusalem, to check whether there were Israel Defense Forces or police checkpoints on the way. The Defendant and Fares Ghanem planned to transport the suicide terrorist to Givat Shaul, to have him carry out the planned shooting terrorist attack there, because there would be numerous civilians in that location.
13. When the Defendant and Fares Ghanem returned to the mosque in Shuafat to pick up the suicide terrorist from there and transport him to Givat Shaul, so that he could carry out the planned shooting terrorist attack there, the two of them did not find the suicide terrorist at the mosque.
14. The Defendant and Fares Ghanem called Ahmed Barghouti and reported to him that the suicide terrorist had run away from them. Ahmed Barghouti instructed the Defendant and Fares Ghanem to return to Ramallah.
15. The Defendant and Fares Ghanem returned to Ramallah; there they met with Ahmed Barghouti and gave him the Subaru, the M-16 assault rifle and the magazines.

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Prosecution Witnesses

1. Advanced Staff Sergeant Major Yaakov Barazani, Badge No. 99106, Investigations Bureau, Judea. (took the Defendant's statement dated March 11, 2002, and submitting the Defendant's handwriting in Arabic, and a Seizure and Marking Report)
2. Staff Sergeant Major Yitzhak Yaakoboff, Badge No. 1008358, Investigations Bureau, Judea. (took the Defendant's statement dated April 1, 2002, and submitting the Defendant's handwriting in Arabic)
3. Mohamed Abed Rahman Salem Maslah, Identity No. 902845643. (under arrest) (Prosecution File 242/01)
4. Hussam Akal Rajib Shahada, Identity No. 975564733. (under arrest) (Prosecution File 243/01)
5. Hitham al-Muthafaq Hamdan. (under arrest)

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Detailed Incident File 7915/01 Zion

6. Staff Sergeant Major Zion Sasson, Badge No. 957068, Zion Station. [Submitting action report]
7. Superintendent Lior Nedivi, Badge No. 952127, Criminal Identification Department – Zion Station. [Submitting Initial Crime Scene Visit Report + photo board]
8. Superintendent Yoram Saar, Zion Station. [Finder of shell casings at the scene of the incident – chain of evidence]
9. Superintendent Ami Leifer, Badge No. 959841, Mobile Laboratory, Criminal Identification Department, Police National Headquarters – Jerusalem. [Submitting Vehicle Inspection Report – seizure of remnants of a bullet]
10. Cadet Adva Malka, Badge No. 1049089, Special Duties Department – Zion Station. [Submitting Form Accompanying Exhibits]
11. Senior Staff Sergeant Major Ziva Hoter, Badge No. 512699, Exhibits Office – Criminal Identification Department, Police National Headquarters – Jerusalem. [Submitting Public Servant's Certificate – Receipt of Exhibits for Examination] (To be summoned only upon the express request of the Defense)
12. Superintendent Avi Kaufman, Weapons Laboratory, Criminal Identification Department, Police National Headquarters – Jerusalem. [Submitting Expert Opinion from the Criminal Identification Department File 4539/01-07/ZB] (To be summoned only upon the express request of the Defense)

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13. Dr. Eyal Yitzhiak, Registration No. 31004, Hadassah Hospital Ein Kerem, Jerusalem. [Submitting discharge certificate for Moshe Weiss] (To be summoned only upon the express request of the Defense)
14. Dr. Yaakov Globberman, Hadassah Hospital Ein Kerem, Jerusalem. [Submitting notice of death for the late Meir Weissboiz [sic., should be Weisshaus]] (To be summoned only upon the express request of the Defense)
15. Moshe Weiss, Identity No. 024001505. (Details held by the Prosecution) [Seriously wounded in the terrorist attack]
16. Yaffa Vaknin, Identity No. 058857863. (Details held by the Prosecution) (Eyewitness)

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Detailed Incident File 481/01 Zion

17. Tony Amiel, Identity No. 032441040. (Details held by the Prosecution) (Driver of the Honda)
18. Pini Maimon, Identity No. 025759762. (Details held by the Prosecution) (Passenger in the Honda)
19. Pazit Maimon, Identity No. 040128084. (Details held by the Prosecution) (Passenger in the Honda)

Detailed Incident File 8379/01 Zion

20. Superintendent Lior Nedivi, Badge No. 952127, Criminal Identification Department – Zion Station. [Submitting Initial Crime Scene Visit Report + Seizure and Marking Report]
21. Staff Sergeant Major Gavriel Abed, Badge No. 958736, Special Duties Department – Zion Station. [Submitting Form Accompanying Exhibits]
22. Superintendent Ami Leifer, Badge No. 959841, Mobile Laboratory, Criminal Identification Department, Police National Headquarters – Jerusalem. [Submitting Vehicle Inspection Report – seizure of remnants of a bullet]
23. Cadet Dror Avram, Badge No. 1039080, Special Duties Department – Zion Station. [Submitting Form Accompanying Exhibits]
24. Zion Sadeh, Identity No. 029505724, Exhibits Office – Criminal Identification Department, Police National Headquarters – Jerusalem. [Submitting Public Servant's Certificate – Receipt of Exhibits for Examination] (To be summoned only upon the express request of the Defense)

[Stamp] P 6: 72 [continued]

25. Senior Staff Sergeant Major Yossi Ben Israel, Badge No. 44771, Exhibits Office – Criminal Identification Department, Police National Headquarters – Jerusalem. [Submitting Public Servant's Certificate – Receipt of Exhibits for Examination] (To be summoned only upon the express request of the Defense)
26. Superintendent Avi Kaufman, Weapons Laboratory, Criminal Identification Department, Police National Headquarters – Jerusalem. [Submitting two Expert Opinions from the Criminal Identification Department File 4723/01-07/ZB] (To be summoned only upon the express request of the Defense)
27. Sigal Shazo, Zion Station. [Finder of shell casings at the scene of the incident – chain of evidence]
28. Malka Cohen, Identity No. 038791386. (Details held by the Prosecution) (Wounded in the terrorist attack)
29. Pinhas Cohen, Identity No. 038348256. (Details held by the Prosecution) (Wounded in the terrorist attack)
30. Ohev Ami Yehiel, Identity No. 059214320. (Details held by the Prosecution) (Eyewitness – treated the wounded)
31. Dr. Yair Eden, Registration No. 33272, Hadassah Hospital Ein Kerem, Jerusalem. [Submitting discharge certificate for Pinhas Cohen] (To be summoned only upon the express request of the Defense)
32. Dr. Menachem Gross, Registration No. 30416, Hadassah Hospital Ein Kerem, Jerusalem. [Submitting discharge certificate for Malka Cohen] (To be summoned only upon the express request of the Defense)

Detailed Incident File 39/02 Binyamin

33. Inspector Michael Malka, Badge No. 1040320, Patrol – Binyamin Station. [Submitting action report]

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34. Advanced Staff Sergeant Major Kobi Sebag, Badge No. 56494, Binyamin Station. [Submitting Investigation Memorandum/Seizure and Marking]
35. Senior Staff Sergeant Major Eli Kojman, Badge No. 46951, Criminal Identification Department, Judea. [Submitting photo boards + collected shell casings at the scene of the incident]
36. Superintendent Ami Leifer, Badge No. 959841, Mobile Laboratory, Criminal Identification Department, Police National Headquarters – Jerusalem. [Submitting photo boards + Vehicle Inspection Report]
37. Staff Sergeant Major Meir Vanunu, Badge No. 1018332, Binyamin Station. [Submitting Form Accompanying Exhibits]
38. Senior Staff Sergeant Major Ziva Hoter, Badge No. 512699, Exhibits Office – Criminal Identification Department, Police National Headquarters – Jerusalem. [Submitting Public Servant's Certificate – Receipt of Exhibits for Examination] (To be summoned only upon the express request of the Defense)
39. Lieutenant Dr. Nir Ayalon, Registration No. 33216, Israel Defense Forces (Details held by the Prosecution) [Testimony – Determination of the death of the late Yoela Chen + treatment of wounded person]
40. Dr. Shaul Beit, Registration No. 33027, Hadassah Hospital Ein Kerem, Jerusalem. [Submitting Medical Certificate – Sickness Summary for Rachelle (Rachel) Eini] (To be summoned only upon the express request of the Defense)
41. Rachel (Rachelle) Eini, Identity No. 075966614. (Details held by the Prosecution) (Wounded in the terrorist attack)
42. Sami Vaknin, Identity No. 027798040. (Details held by the Prosecution) [Testimony + Diagram] (eyewitness)
43. Nachshon Barashi, Identity No. 05033235. (Details held by the Prosecution) (Identification of the deceased)

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44. Chief Inspector Dror Asseraf, Badge No. 942276, Special Duties Department – Zion Station. [Submitting Memorandum Report, Seizure and Marking]
45. Senior Staff Sergeant Major Yigal Daniel, Special Duties Department – Zion Station. [Submitting Seizure and Marking Report]
46. Cadet Zvika Reisner, Special Duties Department – Zion Station. [Submitting Memorandum Report, Seizure and Marking + Photographs]

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47. Sergeant Major Zion Tabdi, Badge No. 1043413, Special Duties Department – Zion Station. [Submitting action report + cross findings]
48. Senior Staff Sergeant Major Asher Levy, Badge No. 47720, Interrogations – Zion Station. [Submitting Seizure and Marking Report]
49. Benny Azriel, Identity No. 303647598. (Details held by the Prosecution) (Eyewitness – ran after the terrorist)
50. Amad Anidat, Badge No. 739037, Border Guard, Jerusalem (Eyewitness – ran after the terrorist and shot at the terrorist)
51. Shai Cohen, Badge No. 1042043, Patrol Unit 2 – Zion Station. (Eyewitness – shot at the terrorist)
52. Noam Gabay, Identity No. 033121070, Central Unit – Jerusalem. (Eyewitness – ran after the terrorist and shot at the terrorist)
53. Hanan Benaim, Badge No. 1049188, Special Patrol Unit – Motorcycles – Shalem Station. (Eyewitness – pursued the terrorist, removed the terrorist's weapon after the terrorist was killed)
54. Genady (Guy) Melnik, Identity No. 309130540. (Details held by the Prosecution) (Eyewitness – security guard on the scene – shot at the terrorist and wounded him)
55. Alon Halfon, Badge No. 761775, Detectives – Central Unit, Jerusalem. (Eyewitness – ran after the terrorist, shot at the terrorist)
56. Avi Ben-Ami, Badge No. 996140, Detectives – Central Unit, Jerusalem. (Eyewitness – shot at the terrorist)
57. Haim Tzalah, Identity No. 033401019. (Details held by the Prosecution) (Eyewitness – driver of the Egged bus at the scene of the terrorist attack)
58. Boris Abtissian, Identity No. 309086171. (Details held by the Prosecution) (Eyewitness)
59. Yekutieli-Yisrael Alush, Identity No. 310101647. (Details held by the Prosecution) (Eyewitness)
60. Moshe Maman, Identity No. 06246911. (Details held by the Prosecution) (Eyewitness)
61. Tova Yitzhaki, Identity No. 051270353. (Details held by the Prosecution) (Eyewitness)
62. Mazal Yitzhaki, Identity No. 04330150. (Details held by the Prosecution) (Eyewitness)
63. Yaron Avrahami, Identity No. 640712770. (Details held by the Prosecution) (Eyewitness)
64. Pinhas Bentura, Identity No. 055611230. (Details held by the Prosecution) (Eyewitness)
65. Kfir Kedem, Identity No. 039381249. (Details held by the Prosecution) (Eyewitness – saw the terrorist arrive at the scene of the terrorist attack on foot)
66. Yaakov Sandler, Identity No. 307750984. (Details held by the Prosecution) (Identification of the body of the late Ora (Svetlana) Sandler)

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67. Dr. Dafna Vilner, Registration No. 20234, Hadassah Hospital Ein Kerem, Jerusalem. [Submitting Notification of Death of the late Ora (Svetlana) Sandler] (To be summoned only upon the express request of the Defense)
68. Dr. Yelena Vesselov, Hadassah Hospital Ein Kerem, Jerusalem. [Submitting Notification of Death of the late Sarah Hamburger] (To be summoned only upon the express request of the Defense)

An additional list of witnesses relating to those wounded in the terrorist attack in Jaffa Road on January 22, 2002, and medical certificates related to their injuries, will be provided during the course of the trial.

[Signature]
Michael Kotlick, Captain
Military Prosecutor

Date: January 12, 2003
Reference: 241-02 Amended

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IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

MARK I. SOKOLOW, *et al.*,

Plaintiffs,

vs.

THE PALESTINE LIBERATION
ORGANIZATION, *et al.*,

Defendants.


No. 04 Civ. 00397 (GBD) (RLE)

DECLARATION OF RINA NE'EMAN

Rina Ne'eman hereby certifies as follows:

1. The attached translation from Hebrew to English is an accurate representation of the document received by Rina Ne'eman Hebrew Language Services, to the best of my knowledge and belief. The document is designated as P 6: 64-73.
2. I am a professional translator with a B.A. in International Relations from the Hebrew University of Jerusalem (Israel) and 30 years of translation experience. I am fluent in Hebrew and English, and I am qualified to translate accurately from Hebrew to English.
3. To the best of my knowledge and belief, the accompanying text is a true, full and accurate translation of the Hebrew-language document designated bearing the bates number P 6: 64-73.

Dated: March 6, 2014



Rina Ne'eman

ss.: New Jersey

On the 6 day of March, 2014 before me, the undersigned, personally appeared Rina Ne'eman, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is signed to this Declaration and acknowledged to me that he executed the same in his capacity, and that by his signature on this Declaration, the individual executed the Declaration.

Sworn to me this
6 day of March, 2014


Notary Public

LEONOR TROYANO
ID # 2385580
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 5/8/2014

